

Free Appropriate Public Education (FAPE) Responsibility by Residence

Student's "residence"	Local Education Agency (LEA) responsible for FAPE	Notes
Home with parent or other adult	Resident district unless open enrolled or attending district under tuition waiver.	<p>In general, Thayer rule applies for students living apart from parent(s).</p> <p><u>Parentally placed private school students</u>, including students enrolled by their parents in 4 or 5K program in a private school: LEA where school is located is responsible for child find and service plan. A parent may also request an evaluation from resident district. Resident district is responsible for providing FAPE should the student reenroll in public school.</p> <p><u>Open Enrollment or Tuition Waiver</u>- district where student attends school.</p> <p><u>County Disability Educational Board (CDEB) Programs</u>-The student's resident LEA is responsible for FAPE when placing the student in a CDEB. The LEA and CDEB program coordinate IEP development and implementation.</p>
Homeless or unaccompanied youth	<p>LEA where the student who is homeless is currently living.</p> <p>When the parent, guardian, or unaccompanied youth requests the student remain in the student's school of origin, the school of origin LEA may remain responsible for FAPE.</p>	<p>Each LEA assigns a liaison for children and youth who are homeless. The LEA liaison is responsible for ensuring all homeless children and youth, including unaccompanied children and youth (not in the physical custody of a parent or guardian), receive FAPE consistent with the provisions of the McKinney-Vento Homeless Assistance Act.</p> <p>"School of origin" is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.</p> <p>The student continues to attend his or her school of origin, to the extent feasible, unless the parent or unaccompanied youth wishes otherwise. Generally, when the student remains in the school of origin, the LEA responsible for the placement in the school of origin remains the student's LEA. See additional guidance at http://dpi.wi.gov/homeless/faq.</p>
Wisconsin hospital, county jail, juvenile detention, group home, foster home, treatment facility	LEA where facility is located	Except if the student is temporarily excused from compulsory attendance per state statute by the district attended prior to presence in the hospital, county jail, etc.
Wisconsin Residential Care Centers (RCCs)	LEA responsible BEFORE placement in RCC UNLESS the student is placed in an RCC from certain facilities operated by DHS, DCF or DOC (including a Type 1 secure correctional facility). In this case, the district where the RCC is located is responsible for FAPE.	<p>Applies to Wisconsin RCC placements paid for by a Wisconsin county or a state agency.*</p> <p>Most students placed in RCCs attend the RCC's educational program, and the county or state agency is responsible for all costs of education. If a student placed in an RCC attends an LEA school program, the district is eligible for state categorical tuition aid.</p> <p>For a list of RCCs, see: http://dcf.wisconsin.gov/childrenresidential/Directories/CW-Directories.HTM</p> <p>*This does not include placements by parents into a facility that also serves as an RCC</p>

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Department of Health Services (DHS) and Department of Corrections (DOC) facilities	DHS or DOC	<p>DHS and DOC are LEAs</p> <p>For applicable DHS facilities see: https://www.dhs.wisconsin.gov/mh/mh-facilities.htm https://www.dhs.wisconsin.gov/disabilities/dd-ctrs/index.htm</p> <p>For applicable DOC Type 1 facilities, see: http://doc.wi.gov/families-visitors/juvenile-services</p>
WI School for the Deaf (WSD) or WI Center for the Blind and Visually Impaired (WCBVI)	Student continues to be resident of the district where he or she lives when not at the school.	<p>The student's resident LEA is responsible for initial placement in a state school. A representative from the state school must participate on the IEP team.</p> <p>Once placed, the student's resident LEA is responsible for FAPE. The LEA and state school coordinate IEP development and implementation. A state school representative is responsible for scheduling and preparing documents for subsequent IEP team meetings and for ensuring reevaluations are conducted. The resident district LEA representative is an IEP team participant. The state school implements the IEP.</p>